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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

RAPID ENTERPRISES, LLC, d/b/a
EXPRESS ONE,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE, *et al.*,

Defendants.

**DEFENDANTS' UNOPPOSED
MOTION FOR A 30-DAY
EXTENSION OF TIME TO FILE
REPLY IN SUPPORT OF MOTION
TO DISMISS FOR FAILURE TO
STATE A CLAIM**

Case No. 2: 22-cv-00627-JNP-JCB

Judge Jill N. Parrish
Magistrate Judge Jared C. Bennett

Pursuant to DUCivR 7-1, the United States and the United States Postal Service (“Defendants”) respectfully request a thirty (30) day extension of time, up to and including October 19, 2023, in which to file its reply in support of its motion to dismiss the amended complaint for failure to state a claim. Plaintiff does not oppose this request.

1. On June 8, 2023, Defendants filed their motion to dismiss. Docket No. 71.
2. On September 5, 2023, after receiving a 61-day extension, Plaintiff filed its opposition to the motion to dismiss. Docket No. 81.
3. Defendant's reply is currently due on or before September 19, 2023.
4. Good cause exists for the requested 30-day extension. The Amended Complaint asserts 11 claims, including contract, tort, and constitutional theories, and seeks more than \$500 million in damages. Several of the Amended Complaint's claims include multiple and sometimes overlapping theories of recovery. The review and preparation of the government's response, combined with the substantial amount of public funds at stake, necessitate the requested extension. In addition, competing obligations and deadlines in other cases in which the undersigned counsel is responsible further support the requested extension.
5. Plaintiff does not oppose this request. The Court also has not previously granted an extension of time for this brief.

For these reasons, Defendants respectfully request that the Court extend Defendants' deadline to file its reply by thirty (30) days, until October 19, 2023.

Dated this 13th day of September 2023.

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